

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PRISILLA JASMINE CABRERA,

Plaintiff,

-v.-

: **ORDER**  
: 20 Civ. 3883 (GWG)

COMMISSIONER OF SOCIAL SECURITY, :  
:  
Defendant. :

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GABRIEL W. GORENSTEIN, United States Magistrate Judge:

With respect to the attorney's fees application of plaintiff's counsel, for the same reasons we expressed in Blizzard v. Astrue, 496 F. Supp. 2d 320 (S.D.N.Y. 2007), we find that the many factors for judging reasonableness identified by courts, including the Second Circuit in Fields v. Kijakazi, 24 F.4th 845 (2d Cir. 2022), have been satisfied in this case. In light of the fact that plaintiff's counsel has expertise in social security matters and operated efficiently, that plaintiff's case was not a sure winner, and the importance of encouraging attorneys to accept social security cases on a contingency basis, the Court concludes that the award sought here is not so large in relation to the hours expended by counsel that it requires reduction.

Accordingly, it is hereby ORDERED as follows: (1) the motion of plaintiff's counsel for attorney's fees (Docket # 31) is granted; (2) attorney Howard David Olinsky is awarded the sum of \$8,252.75 as fees pursuant to 42 U.S.C. § 406(b), to be paid from the amount withheld by the Commissioner of Social Security from the past due benefits awarded to plaintiff; and (3) within 7 days of receipt of the award, attorney Howard David Olinsky shall refund to plaintiff the sum of \$5,971.85, representing the sum that was previously awarded (and received) as attorney's fees pursuant to the Equal Access to Justice Act (Docket # 29).

SO ORDERED

DATED: July 11, 2024  
New York, New York

  
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GABRIEL W. GORENSTEIN  
United States Magistrate Judge